

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DE LAGE LANDEN FINANCIAL SERVICES, INC.'S MOTION FOR PARTIAL
SUMMARY JUDGMENT AGAINST INTERVENOR PLAINTIFF TOSHIBA AMERICA
MEDICAL SYSTEMS, INC.

Plaintiff, De Lage Landen Financial Services, Inc. (“DLL”), by and through its undersigned attorneys, moves this Honorable Court pursuant to Federal Rule of Civil Procedure 56 for partial summary judgment against Intervenor Plaintiff **Toshiba America Medical Systems, Inc.**, for the relief requested in the accompanying Memorandum of Law, Proposed Order, and Appendix of Exhibits in support thereof, which are incorporated herein by reference.

Dated: April 12, 2004

Peter J. Boyer (Attorney ID No. 25517)
Rosetta B. Packer (Attorney ID No. 28357)
Kevin J. Burke (Attorney ID No. 87214)
MCCARTER & ENGLISH, LLP
Mellon Bank Center
1735 Market Street, Suite 700
Philadelphia, PA 19103
(215) 979-3800

Atorneys for Plaintiff
De Lage Landen Financial Services, Inc.